



Docket No.: NHL-ASC-01-C2
Serial No.: 10/827,463
Customer No.: 00432

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: George Manuel
ART UNIT: 3762
SERIAL NO.: 10/827,463
FILING DATE: April 19, 2004
INVENTORS: Manfred DICK, Holger MÄUSEZAHN, and Eckhard
SCHRÖDER
TITLE: A METHOD FOR DETERMINING VISION DEFECTS AND
FOR COLLECTING DATA FOR CORRECTING VISION
DEFECTS OF THE EYE BY INTERACTION OF A PATIENT
WITH AN EXAMINER AND APPARATUS THEREFOR

Greensburg, Pennsylvania 15601

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

June 27, 2005

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Sir:

The owner, Carl Zeiss Meditec AG, of one hundred percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on this application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer, of prior U.S. Patent No. 6,722,767, issued on April 20, 2004. The owner hereby agrees

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that any patent so granted on the instant application shall be

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enforceable only for and during such period that it and the prior patent are commonly owned.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, as shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to the grant of the patent.

A check in the amount of \$130.00, representing the Terminal Disclaimer Fee is enclosed.

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[X] The undersigned is the attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


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Reg. No.: 25,997

June 27, 2005
Date